



KERN IRWMP

Intergrated Regional Water Management Plan

Executive Committee:

January 27, 2009

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State of California
Department of Water Resources
Division of Planning and Local Assistance
Attn: Ralph Svetich
901 P St.
Sacramento, CA 95814

RE: Comments on the Draft IRWM Regional Acceptance Process Guidelines

Dear Mr. Svetich:

This is in response to the California Department of Water Resources' (DWR) request for comments on the Draft Integrated Regional Water Management (IRWM) Regional Acceptance Process (RAP) Guidelines ("Guidelines"). The Kern Regional Water Management Group (Kern RWMG) would like to take this opportunity to thank DWR staff for their efforts in developing these Guidelines.

The Tulare Lake Basin Portion of Kern County Integrated Regional Water Management Plan (Kern IRWMP) is currently in the process of developing an IRWMP. Thus, we view the RAP as a mechanism for validating our regional boundaries and ensuring that our region is appropriately constructed as we begin our plan development process. As such, the Guidelines present many challenges that are unique to a developing region. We ask that DWR staff consider this in reviewing our comments.

1. **The application information requested, while appropriate for a fully developed region, requires a level of detail that cannot be met by many, if not all, developing IRWM regions.** In particular, developing IRWM regions, like the Kern IRWMP, may not have complete participant/stakeholder lists, let alone a defined governance structure. Additionally, developing regions are unlikely to be able to provide complete descriptions of the roles and relationships of stakeholders within the RWMG, as well as those of neighboring IRWM regions. While the Guidelines acknowledge this fact on page 4 by stating that "a developing region may only be able to provide a conceptual discussion and limited supporting information," the "Reviewer Information" in Table 1 provides no guidance to the reviewer as to how to evaluate developing regions. In fact, given the questions posed to each reviewer in Table 1, it appears that a developing region would not be able to successfully complete the RAP due to an inability to provide

sufficient information. Yet, developing regions need to receive some form of validation from DWR staff to know that their region is acceptable before continuing to expend time and money trying to develop the region further.

Recommendations:

- Incorporate a clear description/discussion of what minimum level of detail should be expected from a developing region.
 - Amend the "Reviewer Information" in Table 1 to include questions/discussion points for the reviewers that are more appropriate/relevant to the level of detail that can be reasonably expected to be provided by a developing region.
2. **The guidelines provide no description of or mechanism for the re-evaluation of a region that is either not accepted or is only conditionally accepted.** DWR staff has repeatedly stated that it is their intention to allow regions that are not accepted to reapply when the criteria for application can be met; however, language to this effect is not included in the Guidelines. Additionally, DWR staff has stated that it is their intention to hold a RAP application period prior to each planning and funding cycle in order to evaluate new and conditionally-approved applicants. However, there is no description in the Guidelines as to when and under what terms a conditionally accepted region will be re-evaluated in order to become an accepted region. Furthermore, under these Guidelines there is no requirement that DWR re-evaluate a region in timely manner in order to allow the planning and/or implementation regional objectives to progress.


Recommendations:

- Provide a clear description of how and when a region that is not accepted may reapply to the RAP.
- Provide a clear description of how and when a region that is conditionally accepted may reapply to the RAP.
- Provide a timeline and/or incorporate language into the text of the guidelines that ensures a RAP application period will be conducted prior to each planning and implementation funding cycle to allow non-accepted and conditionally accepted regions to be eligible for funding should they successfully complete the RAP.

In summary, we recommend and encourage DWR staff to incorporate language into the RAP guidelines that provides a clear description of the requirements for a developing region, including guidance to the reviewer as to how to evaluate these regions. Additionally, we ask that DWR staff incorporate a clear process for re-evaluation of non-accepted and conditionally accepted regions, including requirements for RAP applications to be accepted and reviewed prior to each planning and implementation funding cycle.

If you have any questions, please contact Lauren Bauer at (661) 634-1411.

Sincerely,



William Miller
Co-chair, Executive Committee
Kern IRWMP



William Taube
Co-chair, Executive Committee
Kern IRWMP

Department of Water Resources

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cc: Jim Lin, DWR
Kern County Water Agency
Kern IRWMP Participants
Tulare Lake Basin JPA Participants